

Remarks of Acting Chairwoman Mignon Clyburn

Inmate Calling Workshop - July 10, 2013

Good morning, and welcome to today's workshop on inmate calling services. I wish to thank all of you for coming, and especially express how grateful I am to our outstanding participants. While there are too many of you to name, allow me to recognize our elected officials -- Delegate Patrick Hope of Virginia, Congressman Bobby Rush and Congresswoman Eleanor Holmes Norton, who will be joining us later.

Because the states play such a vital role in this effort, I'd also like to recognize some of our state commission counterparts, Commissioner John Burke, Commissioner Anne Boyle and former Commissioner Jason Marks. And of course, thanks are due to my colleague, Commissioner Jessica Rosenworcel, for joining us and for her leadership on this issue.

If it seems like I'm a bit more upbeat this morning, it's because I have been talking about the issue of prison pay phone rates for quite some time. Now, don't get me wrong. I love to talk. But I get extremely excited when talk leads to action, and today's workshop marks yet another action phase for the issue of prison pay phone rates.

Let me begin my remarks with what we already know.

Nearly 10 years ago Martha Wright, a grandmother from Washington, D.C., filed a petition to the FCC seeking relief from what she described as exorbitant long-distance rates from correctional facilities. Since then, tens of thousands of others have contacted the Commission complaining that the costs they incur to stay in touch with their loved ones are unaffordable.

Just how high are these rates?

In some instances, the price of a single phone call from prison eclipses the cost of an average basic monthly telephone bill. In 42 states where there have been limited or no reforms, connection fees can run as high as \$4 per call, on top of charges of 89 cents per minute.

Some say this is not really an issue, because inmate phone calls should cost more than normal phone services due to needed security protocols. But given that eight states and other localities have reformed their inmate rate structure, while maintaining appropriate safety features, this concern alone does not seem to justify the significant rate disparities we see today.

Indeed, when you consider that a 15-minute interstate call from an inmate payphone in New York costs less than a dollar, and the same call next door in Pennsylvania can cost \$11, it shows that there is a real need for today's engagement.

These are prisoners who have broken the law, and they deserve to be punished, so why should we care that they are being charged extra for phone calls, some ask?

Well, I have an answer to that question that requires you to keep two numbers in mind: 2.7 million and 700,000.

In the United States, 2.7 million children have at least one parent in prison, and many of them want and need to maintain a connection to that parent. In addition to coping with the anxiety or insecurity of having an incarcerated parent, these young people are suffering untold economic hardships, which are being exacerbated by an unaffordable inmate calling rate structure.

Now consider the fact that half of those imprisoned parents are housed at facilities 100 miles or more away from home. Because many families are often unable to travel those distances, a phone call is often the only way children and their loved ones can keep in touch.

So for those who are still asking why we should care?

Regardless of why that inmate is in jail, the exorbitant inmate calling regime deeply and chronically affects the most vulnerable among us. If you were to ask their teachers, it is affecting their academic performance. If you ask the school counselors, it affects their behavior and attitudes. And if you were to speak with the guardians, families and friends, it impacts their ability to adequately and affordably care for these children.

It is not just me saying this. One of the most authoritative voices on children in America – Big Bird, recognizes this, too. That's right, Big Bird. Sesame Street just released an online educational kit to help children cope with having a parent who is incarcerated. When an issue is so acute that it makes it onto Sesame Street, you're talking about an issue that is impacting Main Street.

I also mentioned the number 700,000.

Each year, 700,000 inmates are released from correctional facilities, back into society. Whether or not these prisoners successfully re-assimilate has huge societal implications.

Multiple studies indicate that having meaningful contact beyond the prison walls can make a real difference in maintaining community ties, promoting rehabilitation and reducing recidivism. It also helps strengthen parental ties—further assisting both the children and their other parent.

I believe that we must do everything we can to ensure a reasonable mechanism for families to stay in touch with their loved ones during this separation. Ensuring the costs of prison payphone calls are reasonable will enable meaningful progress toward that goal.

That is why, this past December, the FCC launched a proceeding that grants long-standing petitions to consider lowering interstate long distance rates from prisons.

The Commission's NPRM in December was a significant step forward, and today's workshop is an important step toward translating that action into meaningful relief for these families.

We've got our work cut out for us, because, while the need for prison pay phone reform may be clear, the actual mechanics are quite complicated. It's not as simple as just reducing rates. We need to do so in a way that doesn't jeopardize any security concerns or drive prices down so low that providers leave or service is degraded.

Of the many complex issues to tackle are the costs to provide service in small facilities versus large ones and the argument that the rates should consider those costs. There's the impact on all rates — both local and long distance. And there are ongoing contractual issues — would the Commission affect rates in current contracts or only once a new contract is out for bid?

These complicated issues will require a collective engagement. Specifically, the FCC and the states need to work together on this one. Cooperation has been rather elusive in the past, but this proceeding is an opportunity to learn from our state partners, particularly from those that have already undergone reform, one, I'm proud to say, is my home state of South Carolina.

Reforming the inmate calling regime is a Federal Communications Commission priority. It is important that we expedite this review, given the impact on families, especially low-income families, and I look forward to working with you today, and through the remainder of this process.

I wish to especially thank the dedicated FCC staff, who organized today's workshop. Many have worked long hours — so to the Wireline Bureau, the Consumer and Governmental Affairs Bureau, and Rebekah Goodheart in my office, thank you for your terrific efforts and a great agenda.

Now let's get to work.